



ATTORNEY DOCKET NO. 19191.0002

APPLICANT OR PATENTEE: EDWIN L. MADISON and JEFFREY W. SMITH  
FOR: "TARGETED THERAPEUTIC OR DIAGNOSTIC AGENTS AND  
METHODS OF MAKING AND USING SAME"

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: THE SCRIPPS RESEARCH INSTITUTE

ADDRESS OF ORGANIZATION: 10550 North Torrey Pines Road  
La Jolla, California 92037

TYPE OF ORGANIZATION:

- [ ] University or other institution of higher education
  - (Name of state )
  - (Citation of statute )
- [X] Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
- [ ] Non-profit scientific or educational under statute of state of the United States of America
  - (Name of state )
  - (Citation of statute )
- [ ] Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if it were located in The United States of America
- [ ] Would qualify as nonprofit scientific or educational under statute of state of The United States of America if it were located in The United States of America
  - (Name of state )
  - (Citation of statute )

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "**TARGETED THERAPEUTIC OR DIAGNOSTIC AGENTS AND METHODS OF MAKING AND USING SAME**" by inventors EDWIN L. MADISON and JEFFREY W. SMITH described in the specification in the provisional patent application Serial No. 60/009,028, filed December 21, 1995 and in the specification of the U.S. national phase application, filed June 19, 1998, from International Patent Application No. PCT/US96/20577, filed December 19, 1996.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by

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any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

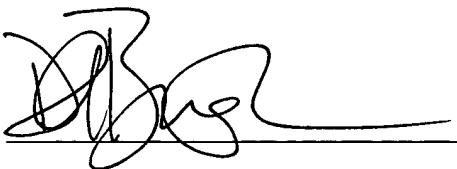
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

[ ]INDIVIDUAL [ ]SMALL BUSINESS CONCERN [ ]NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Douglas A. Bingham  
TITLE IN ORGANIZATION: Vice President and General Counsel  
ADDRESS OF PERSON SIGNING: THE SCRIPPS RESEARCH INSTITUTE  
10550 North Torrey Pines Road  
La Jolla, California 92037

SIGNATURE: 

DATE: 8/20/98



## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

(X) Original    () Supplemental    () Substitute    () PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**TARGETED THERAPEUTIC OR DIAGNOSTIC AGENTS AND METHODS OF MAKING AND USING SAME**", which is described and claimed in the specification

(check one)     which is attached hereto, or  
 which was filed on , as United States Application No. and with amendments through (if applicable), or  
 in International Application No. PCT/US96/20577, filed December 19, 1996.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a) - (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate relating to this subject matter having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATIONS: (ENTER BELOW IF APPLICABLE)			PRIORITY CLAIMED (MARK APPROPRIATE BOX BELOW)	
APP. NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	YES	NO
PCT/US96/ 20577	PCT	19 DEC 1996	X	

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/009,028	21 December 1995

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS (MARK APPROPRIATE COLUMN BELOW)		
		PATENTED	PENDING	ABANDONED

I hereby appoint the following attorneys and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

William H. Needle (Reg. No. 26,209); Sumner C. Rosenberg (Reg. No. 28,753); David G. Perryman (Reg. No. 33,438); Mitchell A. Katz (Reg. No. 33,919); Gregory J. Kirsch (Reg. No. 35,572); D. Andrew Floam (Reg. No. 34,597); Gwendolyn D. Spratt (Reg. No. 36,016); Clark G. Sullivan (Reg. No. 36,942); Elizabeth Selby (Reg. No. 38,298); Yahn W. Bernier (Reg. No. 38,078); Mary L. Miller (Reg. No. 39,303); Bradley K. Groff (Reg. No. 39,695); Kean J. DeCarlo (Reg. No. 39,954); Allan G. Altera (Reg. No. 40,274); Bryan W. Bockhop (Reg. No. 39,613); Elket V. Swope (Reg. No. 40,195); J. William Seanor (Reg. No. 40,804); Robert T. Barker (Reg. No. P-41,597); Mark A. Westhafer (Reg. No. P-42,220); and Janice A. Kimpel (Reg. No. P-42,734).

Address all telephone calls to Mary L. Miller, Ph.D., Esq. at telephone no. (404) 688-0770.



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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**TARGETED THERAPEUTIC OR DIAGNOSTIC AGENTS AND METHODS OF MAKING AND USING SAME**", which is described and claimed in the specification

(check one)     which is attached hereto, or  
                     which was filed on , as United States Application No. and with amendments  
                    through (if applicable), or  
                     in International Application No. PCT/US96/20577, filed December 19, 1996.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

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Address all telephone calls to Mary L. Miller, Ph.D., Esq. at telephone no. (404) 688-0770.

Address all correspondence to: David G. Perryman, Esq.  
NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: MADISON, EDWIN L.

Inventor's signature: Edwin L Madison

Date: 7/28/98

Residence: 615 Stratford Court #3, Del Mar, California 92014 CA

Post Office Address: 615 Stratford Court #3, Del Mar, California 92014

Citizenship: USA

Full name of second inventor: SMITH, JEFFREY W.

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: 13241 Larkfield Ct., San Diego, California 92130

Post Office Address: 13241 Larkfield Ct., San Diego, California 92130

Citizenship: USA

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Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

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Full name of first inventor: MADISON, EDWIN L.

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: 615 Stratford Court #3, Del Mar, California 92014  
Post Office Address: 615 Stratford Court #3, Del Mar, California 92014  
Citizenship: USA

Full name of second inventor: SMITH, JEFFREY W.

Inventor's signature: Jeffrey W Smith Date: 7/27/98  
Residence: 13241 Larkfield Ct., San Diego, California 92130  
Post Office Address: 13241 Larkfield Ct., San Diego, California 92130  
Citizenship: USA